

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28174 of 2019

Arising Out of PS. Case No.-642 Year-2017 Thana- PHULWARISHARIF District- Patna

KAMLESH MANJHI Son of Late Butai Manjhi Resident of Village -
Muchita Mushari, P.O Neura, P.S.- Bihta, Distt - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Sharma

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 15-07-2019

This application, for grant of anticipatory bail, arises out of Phulwari Sharif (Janipur) P.S. Case No. 642 of 2017, disclosing offences under Sections 302, 201 and 34 of the Indian Penal Code.

Prosecution case is that brother of the informant, namely, Mantu Kumar, while returning to his house along with his two friends from motor cycle touched one Baisakhi Manjhi, on which, petitioner and others assaulted him and his friends, however, the two said two friends managed to flee away from there and informed the informant about the incident. Thereafter, he went to the place of occurrence, where Baisakhi Manjhi disclosed that his brother has returned to his house but his did not return home in night. Thereafter, on the next day, dead body of his brother was found and he suspected the hands of



petitioner and others in the murder of his brother.

Submission of learned counsel for the petitioner is that save and except suspicion, there is absolutely nothing against the petitioner to show his involvement in the murder of informant's brother

Learned counsel for the State opposed the prayer for bail and submitted that during course of investigation witnesses have state that this petitioner and others were assaulting the deceased and, thereafter, the dead body of the deceased was found in the river.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

This application is dismissed

(Vinod Kumar Sinha, J)

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